

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

DANTE B. MAGDALUYO, JR.,  
Plaintiff,  
v.  
MGM GRAND HOTEL, LLC,  
Defendant.

Case No. 2:14-cv-01806-APG-GWF

## **ORDER GRANTING MOTION TO STRIKE JURY DEMAND**

(ECF No. 169)

Defendant MGM Grand Hotel, LLC filed an emergency motion to strike the demand for a jury trial (ECF No. 166) recently filed by plaintiff Dante Magdaluyo. ECF No. 169. MGM contends that Magdaluyo's demand is based on the incorrect premise that his "false light" claim will proceed to trial. *Id.* at 2.

In my order partially granting MGM’s motion for summary judgment, I analyzed Magdaluyo’s complaint for invasion of privacy under two rubrics: “intrusion upon seclusion” and “public disclosure of private facts.” ECF No. 159 at 6-7. I held that there was no public disclosure regarding Magdaluyo. This finding precludes a “false light” claim as well. Thus, Magdaluyo cannot proceed with his claim of “holding plaintiff in false light in the public eye.” His sole remaining claim for trial is the “intrusion upon seclusion” claim. And because Magdaluyo included a jury demand in his amended complaint (ECF No. 21), he will have a jury trial on that “intrusion upon seclusion” claim.

IT IS HEREBY ORDERED that MGM's motion to strike the jury demand (**ECF No. 169**) is **GRANTED**. Magdaluyo's jury demand (**ECF No. 166**) is **STRICKEN**. The case will proceed to a jury trial on Magdaluyo's "intrusion upon seclusion" claim.

DATED this 14th day of April, 2017.

ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE